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19 Counsel for Judgment Creditor,
20 DEPCOM Power, Inc.

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22 UNITED STATES DISTRICT COURT
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24 NORTHERN DISTRICT OF CALIFORNIA
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26 OAKLAND DIVISION

27 DEPCOM POWER, INC., a Delaware
28 corporation,

14 Plaintiff and Judgment Creditor,

15 vs.

16 CSUN SOLAR, INC., a California
17 corporation, and CHINA ELECTRIC
18 EQUIPMENT GROUP CO. LTD., a Chinese
19 entity,

20 Defendants and Judgment Debtors,
21 and

22 SUNERGY CALIFORNIA LLC,

23 Intervenor and Alleged Alter Ego.

24 Case No. 4:18-cv-00729-JST (JCS)

25 **[PROPOSED] ORDER TO SHOW
26 CAUSE RE DISCOVERY SANCTIONS**

27 **Hearing:**

28 Date: November 22, 2019
Time: 9:30 AM
Place: 450 Golden Gate Ave.
Floor 15, Courtroom G
San Francisco, CA 94102

1 On October 8, 2019, the Court entered its Order Following Discovery Hearing (the
2 “Order”). ECF 128. The Order required China Sunergy (US) Clean Tech Inc. (“CSUN Clean
3 Tech”) to comply with DEPCOM Power, Inc.’s (“DEPCOM”) subpoena dated August 6, 2019
4 (the “Subpoena”), and to produce documents required by that subpoena on or before October 25,
5 2019.

6 On October 30, 2019, DEPCOM filed its Notice of Noncompliance with Order Following
7 Discovery Hearing (ECF 128) and Request for Entry of Order to Show Cause re Discovery
8 Sanctions (the “Request for OSC”). The Court, having read and considered the Request for OSC
9 and the supporting declaration, and upon due consideration and good cause appearing, the Court
10 hereby orders as follows:

11 1. CSUN Solar is ordered to show cause on **November 22, 2019, at 9:30 AM, in**
12 **Courtroom G, 15th Floor, 450 Golden Gate Avenue, San Francisco, CA, 94102**, why they
13 should not be held in contempt of Court, and be subject to other sanctions including but not limited
14 to attorneys’ fees and costs, for its failure to comply with the Order.

15 2. Plaintiff is **ORDERED** to serve a copy of this order on CSUN Solar in the manner
16 provided under the Federal Rule of Civil Procedure within seven (7) days of the date of this Order.

17 **IT IS SO ORDERED.**

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19 Dated: November 6, 2019



JOSEPH C. SPERO
CHIEF MAGISTRATE JUDGE

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